(2) All rules framed under sub-section (1) shall be published in the Government Gazette and shall thereupon have the force of law.

49 and 50. (1) & (2) (Vide consideration of the amendments.)

Section 50, sub-section (2) to apply to suits dismissed or withdrawn.

50. (3) Where a suit by a subscriber in any transaction partaking of the nature of kuries has been wholly or in part dismissed or withdrawn after the 24th Karkadagam 1097 and before the passing of this Regulation, either in a court of first instance or of appeal on the ground that the claim is illegalt as amounting to a lottery, the case may be restored on an application in writing to the court by which the claim was dismissed or in which it was withdrawn, provided the application is made within one year, from the date of passing of this Regulation and on such restoration, the provisions of sub-section (2) of this section shall apply.

Certain suits by a foreman to be allowed.

(4) No suit instituted by a foreman of a kuri to recover money lent or invested by him out of kuri amounts of any kuri which has been started before the coming into force of this Regulation shall be liable to be dismissed on the sole ground that the kuri is illegal as amounting to a lottery.

All the above clauses of the Bill were read and passed by the House.

Mr. C. A. Kunjunni Raja.—I move that the Bill be taken up and passed to-morrow.

Mr. C. J. Mathew.—I second it.

President.—The motion before the House that the Cochin Kuries Bill, as amended by the Select Committee and the Council, be taken up and passed to-morrow, the 4th of December.

Motion put and agreed to.

Resolutions on matters of General Public Interest.

7. Improvement of Communications.

Mr. P. Krishna Menon.—Sir, I have the honour to request the house to allow me to move the resolution standing in my name.

"This Council recommends to the Government that a special officer or Committee may be immediately appointed to consider and report upon the present state of communications in the State and also to suggest a definite programme and policy of developing and improving communications both by land and water."

I beg leave to assert that the resolution is comprehensive in more ways than one. But there are one or two minor points which I wish to dispose of before going into the real crux of the matter. The first is that I am not at all particular about the appointment of a Committee, if the Government thinks that

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the purpose aimed at can be achieved by the appointment of a special officer. Another point which also may be remembered in this connection is that I do not confine my resolution to communications on land only. But I also include communications by water as well. Remembering these minor points, I would suggest that due attention may be paid to the question of improving and developing communications in the country as a whole. The recognition of the importance of good communication and also the need for a steady development, I believe, is a subject which is now engaging the attention of all civilized Governments. It is, I believe, a fact that during the last half a century no aretrial road has been constructed in the whole State of Cochin. In other words, the arterial roads that are now in existence are constructions more than half a century old except, perhaps, the one road which is now under construction and which is known as the Ghat Road to the Nelliampathies. All theother main roads were constructed long, long ago, before many of us were born. Now I do remember that there has been the appointment of a committee to go into the question and I understand from the Member for Engineering that their recommendations have been completely carried out. Even if they are carried out that will not suffice the present necessities. Though I cannot quote chapter and verse for the statement I make, namely, that a country to be said to possess necessary length of communications, that country must have at least a mile of road for every square mile of the area. Now the area of the State, if I remember correctly, is 1,400 square miles, no doubt including the forests and backwaters. And the mileage of trunk road is something between 4 and 500 miles only. If the theory propounded by me is not far wrong, certainly it is necessary to, at least, double the mileage of roads in the whole State to keep pace with the necessity. Now on account of the increased motor traffic it has become necessary that roads, motorable roads, should be constructed in many places in the whole of the State. Of course the necessity for that is demonstrated by the fact that whever there are motorable roads motor services are run. Therefore, by the improvement of road construction, certainly the traffic, both of human beings as well as of goods, will largely increase and such an increase in traffic is certainly a sign of progress and improvement which will necessarily lead to further progress and greater prosperity of the land. So far only with regard to road communications or communications on land.

One word only I would submit with regard to communications by water. The Canal Department has been in existence in the State for about 5 years, if I remember correctly, and

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there has been a fair revenue derived by the establishment of that department. But as far as I know, except one or two little canals that were constructed, not because there was some revenue from the Canal Department but for other reasons, there has been no attempt at giving back the money taken by that department, that is, money taken from persons who are using waters for their communications. All that income by way of boat fees, etc., should have been spent for works in the shape of facilities for communications by water. Not to go far away, it will be found that just on the western side of the Bolghatty side there is a large expanse of water hardly fit for any communications by boat. They are so shallow and in season and out of season you will find that boat traffic is hardly possible in the major portion of the back water area then. If, as a matter of fact, a line has been demarcated or a canal had been demarcated, which may be specially used for communication purposes, a large extent of land or land covered by water will be made available for profitable cultivation also. Therefore, if attention is paid to the improvement of communications in that way, *i. e.* in the backwater regions, there will be a double benefit derived because, in addition to the facilities afforded for canal communications, there will be land available, fit for cultivation and which can certainly be improved upon for the benefit of the people. With these words I recommend the resolution for the acceptance of the House.

President.—Any Member to second?

Mr. Thomas Manjuran.—I second this resolution. I remember to have stated during the budget discussion of 1105, that there should be a survey conducted about the requirements of the State in the matter of roads and other communications. As a matter of fact, if such a survey was made and a programme was adopted, based upon such a survey, I am sure, many of the parts of the State, which now go without road, would long ago have been provided with proper roads. It is a great pity that some of the richest parts of the State, in fact, some of the most wealthy and prosperous portions of the State, are to this day remaining without a single foot of made road. I am referring particularly to the Vypeen island about which there has been a certain amount of discussion in this House. I am, however, very glad to find that the Government is contemplating a survey of the proposed road in Vypeen. Now there are ever so many villages in the State which are not accessible for want of proper roads. And yet there is absolutely no reason why these villages should remain without roads. I can understand in a country which is starving, which cannot balance its budget

or in a country which is making a precarious financial existence, this sort of condition may be justifiable, but not in a country which is putting in the Bank every year between 5 and 6 lakhs of rupees for years together. There is absolutely no justification whatsoever to starve any part of the State of highly requisite communications. What we want in Cochin is a little more intensity in the vigour with which local and general requirements are considered. We have been drifting. There is absolutely no excuse for any laxity in that way. We have got the money, we have got the resources; and why not utilise the money? That is the question. There is absolutely no excuse whatsoever to bank money collected from the people before satisfying the legitimate requirements of the people from whom the money is collected. Now I iterate what I have been saying in and out of time in this Council that revenues, by the mere fact that they are collected do not become anybody's property. They are the property of the people from whom it is collected and yet we find that our communications are starved. Many of our villages are denied facilities of medical help and sanitation. Our irrigation is very seriously neglected. Water communications are practically, totally neglected. In fact a highly requisite canal, for which we have been clamouring for years together to take boat service to Cochin, is still being thought about. Now I submit, such a state of affairs in a country with the actual condition existing in Cochin, if Cochin happended to be in the western contiments, would never be tolerated for even a week. Administrators who allow such things to drift in a land with Cochin's money, I respectfully submit, would get little shrift from a real democracy. I can understand, if we are living from hand to mouth these sort of things may continue. But we are far from that. Well, this Council has been crying and I have been moving the Government for years together in this House, requesting the Government to give actual help to the localities wanted, give them more irrigation, give them more sanitary help, give them more medicines. All those cries have been cries in the wilderness. No doubt something has been done here, something has been done there. That is not what is wanted. Real honest work must be proportionate to the resources of the State. Before you put a single pie in the Bank, paramount cries like the cries, raised by the people, must be fulfilled. I have very great pleasure in supporting this resolution.

Mr. K. Ayyappan.—I oppose the resolution. I am not against the improvement of communications by water and by land. I am only against the movement for multiplying offices of our little State which is already over-officed

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now. Yesterday or the day before yesterday we were pleading for the separation of Panchayat and Agriculture. That means adding one officer more. To-day we are pleading for adding another officer. You are going to create a new office. The officer must be paid. No officer will do work without any payment. That means money. I do not know why the Engineering Department cannot look after the improvement of communications. What is that department for, if it does not do such works? Make it do its work properly. We should not allow our people's money to be squandered away like this upon officers. I very strongly oppose this resolution.

Mr. A. Eachara Menon.—I too oppose, for we know very well that is not due to want of knowledge on the part of the Government that these new roads are not opened. The shouldering of Panchayats with this responsibility will not relieve the public. Petitions are received off and on. What the Government had been hitherto doing was simply to allow 50 or 60 rupees for each Panchayat that they may have roads. It is simply to show that they were doing something. It is not that they were ignorant. If the Government would be pleased to see the reports sent by each of the Panchayats to the Superintendent they will find there that every Panchayat would have asked for a road every year, and hitherto nothing has been done except dolling out 50 or 60 rupees to each Panchayat. I think there is no necessity for a committee or officer to be appointed.

Mr. A. B. Salem.—I rise to say a few words on this resolution which, I hope, will terminate this discussion. The Government have already appointed a Rural Reconstruction Committee and have referred the whole question of communications by water as well as by road to that committee. That committee is sitting and therefore the subject matter of this resolution is having consideration at the hands of that committee. Therefore, the purpose of this resolution is lost. This is already there. This resolution the Government can easily answer and say that a committee, whatever be the name does not matter at all, whether it is Rural Reconstruction Committee or any other committee is already in existence. It is going into the question of roads and to lay out a bold programme, a connected continuous programme, for a number of years throughout the State. Therefore the Hon'ble mover of the resolution will see that we are not to engage our time any more upon this matter.

Mr. M. A. Chakko.—The resolution before this House is for the appointment of an officer or a committee to consider and report upon the present state of communications with a view to see whether further developments are not necessary. About the necessity for communications and the improvement of the

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same for the welfare of the people, the Hon'ble mover himself has sufficiently impressed the House. About the means to provide those communications and to secure those comforts to the people, the Hon'ble Member for Trippunittura has also impressed the House. I have only to speak about two points, the points raised by the Hon'ble Member for South Ezhuvas and also by the Hon'ble Member for Chittur. In their speeches and in their view they think that it will be multiplying Government appointments costing Government revenue in appointing a committee or an officer to do the work. They say that it could be done in the legitimate course of duty by the Public Works Department or the Panchayat Department. On the floor of this House it has been a constant feature to observe that demands and requests are made on all occasions for roads, communications of bridges and so forth. If the history of Cochin is traced for the last 20, 25 or 30 years, as the Hon'ble mover has said, there has been no systematic attempt (*Hear, hear*) made to improve communications. Here and there, now and then, people make representations to the nearest officer or to the Diwan, while in camp or by means of addresses, that some roads are necessary, that some communications are wanted or that some bridges ought to be repaired. The attention of the Government is thus directed to the need and that is done. So in the scramble for getting amenities like communications, the nearest man to the biggest officer gains his point; and an ordinary subject of the State who has no leisure to attend to all these things, who busy with the work for his daily life, is not heard at all. In the scramble for amenities of life and comforts of existence there is a large crowd waiting upon the Government or the Government officer. What is required here is to make them into a quene, so that everybody is not to shout at once. By appointing a committee or an officer to investigate into the matter, the needs, the necessities of the people of the State may be brought to the notice of the Government (*Hear, hear*) and the proportionate urgency, importance, need, intensity of need, all these may be considered and a programme may be laid down for the execution of the work in proper order as it is found urgent, very urgent, very essential and so forth. So what the Hon'ble mover has set forth in this resolution before the House is to make an investigation in order to find out which are the more essential roads and communications and canals and on which the Government money must be spent more urgently, afterwards and so forth.

Mr. K. Ayyappan.—Cannot the department do it?

Mr. M. A. Chakko.—I may say that Rural Reconstruction Committee has only road maintenance, or canal communications

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or improvement of communications as part of several other things which they have to look into. The Public Works Department is not existing for the sole purpose of extending roads and communications. They have got a lot of other work to do. This is only one branch of the work which the Public Works Department has to engage its attention. We want and the mover of the resolution requires that special attention of the Government must be devoted to this purpose. An officer may be appointed. The officer can finish the investigation if he does it with ordinary speed in two or three months, and a report can be submitted. If a committee is appointed, the work may be done in consultation with the public in general; and it will not take more than three or four months and the travelling allowance and other things and the expenditure that will be involved in this matter will not be more than 400 or 500 rupees. A large amount is frittered away by not doing the correct thing at the proper time; and by doing things without any rhyme or reason by those who could not take a wide and comprehensive view of the whole matter. Therefore I support this resolution and recommend it to the House. This is a matter very important for the well being of the people. Some investigation should be made and some definite policy laid down for the Public Works Department about the order in which new roads and communications, etc., are to be attended to.

Mr. V. K. Aravindaksha Menon.—Sir, in the year 1098 Government passed orders sanctioning the proposals of a Road Committee appointed to examine the necessity for new bridges, new roads, maintenance of roads and canals. The activities of the Public Works Department were directed by the programme set forth by that committee with the result that it can at present be said that we have completed the entire list.

At that time the committee reported that Cochin had even then a generous net work of roads and we have within the short period of 12 years not only done the works suggested by them but also a few other important roads. The impression should not gain ground, therefore, that Cochin is insufficiently provided with roads and the necessity for an extensive road construction programme is both imperative and immediate. In a subject of this description, of course, I realise that it is not possible for one to say that all the requisite number of roads have been constructed and no new roads will be necessary for all time to come. Construction of roads depends on the development of trade, commerce and agriculture and in a progressive country like Cochin, the road construction programme should necessarily require revision and additions from time to time. The Government have lately appointed a

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Rural Reconstruction Committee and I understand that one of the terms of reference is to report on the question of communications. The first question framed by that committee is "what are the existing means of communications? Do you consider new roads and canals necessary? If you do, give details regarding them". This question broad-casted over the entire State should not fail to give us the necessary information regarding roads.

I therefore think that in view of the Rural Reconstruction Committee already appointed, it may not be necessary to have another committee, as its work will necessarily have to run on nearly parallel lines and hence superfluous. I beg therefore to oppose the resolution.

Mr. P. Krishna Menon.—To follow the advice of the Hon'ble Member, the Member for the Jews, I don't want to take up the time of the House at all. In the light of the assurance given, that a reference to the Rural Reconstruction Committee will be a sufficient inducement for the Government to take up this question in all earnestness, I do not want to press this motion. But I must add one thing. A mere reference to the Rural Reconstruction Committee will not satisfy the demands of the public. Things must be done and that as speedily as possible. No doubt ,as was said by the Hon'ble Member for Engineering, it cannot be said at any time that there are sufficient roads to meet the demands of communications. I respectfully ask the Member for Agriculture if it is in his knowledge that lands to a considerable extent, paddy lands to a large extent, are not provided with roads through which manure can be taken to the fields or the harvested crop may be taken away from the fields. I do not wait for an answer. I think I have fulfilled the purpose of my resolution by calling the attention of the Government to this subject, the importance of which cannot be over-rated. I do not want to answer the criticisms levelled against my resolution that it is intended more or less to find job for a committee.

Mr. K. Ayyappan.—Nobody said.

President.—Do you withdraw ?

Mr. P. Krishna Menon.—I withdraw it.

The resolution was withdrawn with the leave of the House.

(8) Use of Chalakkudi water for Irrigation.

Mr. C. A. Kanjunni Raja.—" This Council recommends that an enquiry be conducted by an expert to ascertain the feasibility of using the waters of the Chalakkudi river for the purposes of irrigation."

In one of the questions to-day it is stated that the scheme is being investigated. So, I don't think it is necessary that I should move this resolution now. On a point of information, may I know whether there is any proposal to divert the waters

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